

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF NURSING

IN THE MATTER OF THE LICENSE OF	:	Administrative Action
	:	
	:	
	:	
MICHELLE BRIDGET CAESAR, LPN	:	
License # 26NP05902800	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE NURSING IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing ("Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Michelle Bridget Caesar ("Respondent") is a Licensed Practical Nurse (LPN) in the State of New Jersey and has been a licensee at all times relevant hereto. Respondent received her New Jersey LPN license on May 25, 2007.

2. In July 2014, Respondent submitted an application for licensure as a Registered Nurse (RN) in the State of Iowa. As

part of her application, Respondent submitted a transcript from Techni-Pro Institute, which stated that she had graduated from the nursing program in December 2013. On April 15, 2015, the Board of Nursing of the State of Iowa (Iowa Nursing Board) issued a Preliminary Notice of Intent to Deny Licensure after verification from Techni-Pro Institute that Respondent did not attend its nursing program and that the transcript submitted was fraudulent. Further, Respondent failed to submit sufficient evidence that she had completed a Board-approved course of study necessary for licensure.

3. In August 2015, Iowa Nursing Board issued an Order to Deny Licensure, effective May 26, 2015, and denied Respondent's application for RN licensure on the grounds that Respondent did not hold an RN credential and engaged in unprofessional conduct by fraudulently submitting the application.

4. On or about May 20, 2015, Respondent completed and submitted an online biennial application to renew her LPN license. Respondent answered "No" to the question which asked whether she had been the subject of any action taken by a licensing authority.

CONCLUSIONS OF LAW

The Board finds that Respondent's application to Iowa Nursing Board seeking an RN license with a fraudulent transcript

constitutes the use or employment of dishonesty, deception, or misrepresentation subjecting Respondent to discipline pursuant to N.J.S.A. 45:1-21(b). The Board finds that Respondent also attempted to obtain a license through fraud, deception, and misrepresentation within the intendment of N.J.S.A. 45:1-21(a).

The Board finds that Respondent engaged in the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b) by certifying on her New Jersey license renewal application that no action had been taken or was pending against any license issued by another authority when, in fact, the Iowa Nursing Board had taken action and denied her application for an RN license during the relevant time period.

Additionally, pursuant to N.J.A.C. 13:37-5.9, a licensee shall immediately notify the Board if he or she is the subject of any disciplinary action by any state board. Respondent failed to self-report the Iowa Nursing Board action to the New Jersey Board. Accordingly, the Board finds Respondent has failed to comply with a regulation administered by the Board, and is thus also subject to discipline within the intendment of N.J.S.A. 45:1-21(h).

DISCUSSION

Based on the foregoing findings and conclusions, a

Provisional Order of Discipline seeking a three year suspension and seven thousand five hundred dollar (\$7500) civil penalty was entered on January 12, 2016. Copies were served upon Respondent via regular and certified mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the thirtieth day following entry unless Respondent requested a modification or dismissal of the stated findings of fact and conclusions of law by setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order of Discipline. She maintained that she had taken online courses as part of Excelsior College's Nursing Program and was eliminated after receiving a D grade in an assessment examination. Respondent submitted a print out from Excelsior College listing the exams Respondent had completed which indicated that Respondent received more than one D grade: Respondent received four F grades, three D grades (usually considered a failing grade in a nursing program), seven C grades, one B grade, and zero A grades.

Despite her poor grades, Respondent maintains that she had

studied for her exams at Excelsior College and was devastated when she was eliminated from the program. An acquaintance of hers informed her that an online school would supposedly accept the nursing classes that Respondent had completed at Excelsior College. Respondent provided a copy of her Excelsior transcript to an unnamed person. Subsequently, Respondent received a text message with instructions to wire payment to a Bank of America account number. Respondent paid the undisclosed amount without question and a few weeks later received a Diploma purportedly granting her an Associate of Science in Nursing degree from Techni-Pro Institute of Orlando, a transcript listing all the courses she purportedly completed while earning a Grade Point Average (GPA) of 3.02, and an application for licensure in Iowa. Respondent suggests that she pondered, for a few fleeting moments, whether her credits from Excelsior could have been enough for her to obtain this Diploma and transcript, but that she ultimately concluded that they were and submitted the documentation to Iowa. It defies credulity to think that Respondent's failing grades in an online nursing program could somehow translate into that Diploma and transcript. The obvious explanation is simply that Respondent paid for a fraudulent Diploma and transcript and that is what she received. The Board is aware of this pattern of attempting to obtain fraudulent

licenses.

Regarding her failure to notify the Board, or disclose on her New Jersey LPN renewal application, that action had been taken against her by another Board, Respondent maintains that the Iowa Order to Deny Licensure was issued in August 2015, after she had renewed her LPN license in May 2015. However, Iowa had sent Respondent a Preliminary Notice of Intent to Deny Licensure in April 2015, which would have made Respondent aware of the pending action prior to her May 2015 renewal. Moreover, Respondent never self-reported the Iowa action to the New Jersey Board. Indeed, Respondent maintains that she tried to ignore the situation, hoping that it would go away, and when Iowa issued the Order to Deny Licensure, she thought that was the end of it.

Respondent admits that she "played a part," apologizes, and asks for forgiveness and mercy. However, the Board considers any attempt to obtain a fraudulent license very serious conduct warranting serious discipline. Had Respondent been successful in obtaining an Iowa RN license, as a resident of New Jersey, she could have attempted to obtain a New Jersey RN license by endorsement of the Iowa RN license. If that had occurred, Respondent would be treating vulnerable populations of New Jersey citizens without the requisite training and education.

This could have had catastrophic consequences as Respondent could have placed patients in harm's way.

The Board reviewed Respondent's submissions and determined that further proceedings were not necessary. The Board was not persuaded that the submitted materials merited further consideration. Respondent wired money to a name and account number that she received via text and received a Diploma and transcript in return. Respondent submitted the Diploma and transcript to the Iowa Nursing Board in an attempt to obtain an RN license. After Iowa notified Respondent of its pending action against her, Respondent failed to disclose the pending action on her New Jersey renewal application. After Iowa issued the Order to Deny Licensure, Respondent failed to self-report the action to the New Jersey Board. The suspension and civil penalty are warranted.

ACCORDINGLY, IT IS on this 2nd day of June, 2016,
ORDERED that:

1. Respondent's license to practice as a Licensed Practical Nurse is suspended for a minimum of three (3) years. The first one (1) year of which shall be served as a period of active suspension and the remaining two (2) years shall be stayed and served as a term of probation. After a minimum of one year of active suspension, Respondent may petition the Board

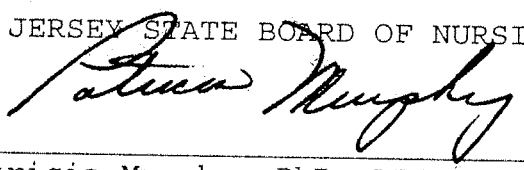
for an Order to reinstate her license and to commence the period of stayed suspension/probation. Respondent's license shall remain actively suspended until further Board Order. After Respondent's license is reinstated and she serves a minimum of two years of stayed suspension/probation, she may petition the Board for an Order lifting all restrictions.

2. Respondent is assessed a civil penalty in the amount of seven thousand and five hundred dollars (\$7500) for the fraudulent conduct. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to State Board of Nursing, Attention: Leslie Burgos, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law. The Board will not accept any petition for reinstatement until the within civil penalty has been paid in full.

3. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Licensed Practical Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APN
Board President